

STATE OF NEW MEXICO  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

In re:

INCORPORATED COUNTY OF LOS ALAMOS,  
LABOR MANAGEMENT RELATIONS BOARD

PELRB No. 213-20

ORDER

**THIS MATTER** comes before the Public Employee Labor Relations Board (“Board”) on the application of Los Alamos County For Approval of its Revised Local Ordinance pursuant to NMSA 1978, § 10-7E-10(B). After review of the Ordinance, and being otherwise advised, the Board voted 3-0 to conditionally approve Los Alamos County’s Labor-Management Relations ordinance upon the following conditions:

1. Section 30-38(F) is revised to read “The Labor Management Relations Board has the power to enforce provisions of the Labor Management Relations Ordinance through the imposition of appropriate administrative remedies, actual damages related to dues, back pay including benefits, reinstatement with the same seniority status that the employee would have had but for the violation, declaratory or injunctive relief or provisional remedies, including temporary restraining orders or preliminary injunctions. No punitive damages or attorney fees may be awarded by the Labor Management Relations Board.”
2. The limitations period in Section 30-39(C) is removed from the ordinance;
3. Section 30-42(B) of the ordinance is revised to allow for an exclusive representative to be present at grievance proceedings brought individually by an employee;
4. Section 30-44(J) is revised to remove the restriction on the withdrawal of Tentative Agreements;

# 35-PELRB-2021

5. Section 30-47(A)(8) is revised to read: “During the negotiation and the impasse procedure the employees, the exclusive representative or any of its employees are prohibited from communicating or negotiating on issues which are the subject of negotiations with anyone other than the appointed county negotiating team. It is the intent of this language that the integrity of the negotiating process be maintained. All negotiations and concessions shall occur only between the respective appointed negotiating teams.” and
6. The conforming revised ordinance shall be submitted to the Board as soon as practical, but no later than June 30, 2021 when failure to cure defects will cause a non-conforming local board to cease to exist by operation of law.

**IT IS ORDERED** that Los Alamos Local Board Resolution is **CONDITIONALLY APPROVED**.

**PUBLIC EMPLOYEE LABOR RELATIONS BOARD**

2/15/2021  
DATE

Marianne Bowers  
MARIANNE BOWERS, BOARD CHAIR